

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

Supersedes: Child Care 1-3 (5-1-05)

**References: Section 52-2-703, MCA.
Sections 37.80.101, .102, .103, .201, .202, .205, .206, .301,
.302, .305, .306, .315, .316, .501, 37.95.304 ARM
45 CFR 98.2 and 98.33
Child Care Fund State Plan, Appendix 2.**

A

Absent Parent, means a natural or adoptive parent, or stepparent who is separated or divorced from the child's residential parent, or who was never married to the residential parent. An absent parent does not share family income, resources, or obligations with their child's household, except by paying child support or alimony. In contrast, see 'Parents Living Apart,' below.

Administrative Review is the first step in the Fair Hearing process. During an administrative review, a person with a complaint has an opportunity to have his/her case examined by the ECSB supervisor, in a formal attempt to resolve a grievance prior to a Fair Hearing, as outlined in Section 1-11.

Adverse Actions include:

- a failure of the Department or of the CCR&R agency to provide a parent an opportunity to make an application or reapplication for a child care scholarship;
- a failure of the Department or of the CCR&R agency to act with reasonable promptness on a parent's application for a child care scholarship (reasonable promptness is 30 days, see Section 2-1);
- a failure of the Department or of the CCR&R agency to provide timely or adequate notice when an adverse action will be taken;

Montana Department of
Public Health & Human Services

CHILD CARE

Section:

Overview – Best Beginnings Child Care Scholarships

Subject:

Definitions

- an action by the Department or the CCR&R agency denying, suspending, reducing, or terminating a scholarship of a parent or payment(s) to a provider, or an action by the Department demanding repayment of an overpayment;
- an action by the CCR&R to deny, suspend, reduce, revoke, or terminate licensure, registration, certification, or enrollment of a provider or to fail to renew certification, enrollment, licensure, or the registration certificate of a provider who has applied for renewal (pertains to licensed/registered providers and to the LUP provider).

Affordable Child Care means the total parental (caretaker, relative, or person acting in loco parentis) co-payment and 'above and beyond' obligation does not exceed 25% of gross family income.

Application Date means the date the child care resource and referral agency receives and date stamps the completed application form, the 'Best Beginnings Child Care Scholarship Application' (DPHHS-HCS/CC-010) or the 'Legally Unregistered Provider and/or In-home Care Application for State Payment Only' (DPHHS-HCS/CC-087). The application date establishes the beginning of the time span in which the application process must be completed.

Appropriate Child Care means the child care provider must meet applicable state licensing standards.

At-Home Relative Care means care that is provided by a person living with the child who is a relative of the child in one of the following ways:

Montana Department of
Public Health & Human Services

CHILD CARE

Section:

**Overview – Best Beginnings Child Care
Scholarships**

Subject:

Definitions

- ☐ Aunt or Uncle;
- ☐ Grandparent; or
- ☐ Great-grandparent.

Attending (a job training or educational program) - A person is considered to be attending, whether part-time or full-time, if they remain in good standing as defined by the institution, with either the job training or education program in which they are enrolled. Child care is allowed for scheduled class time and the time necessary to commute between the parent's home, the child care facility and the education or training facility.

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

C

Certification Plan means a notice issued by the Child Care Resource & Referral agency which authorizes child care assistance and specifies the number of children for whom child care assistance is authorized, the number of hours per week for which assistance is authorized, the number of months for which authorization is granted, the name of the child care provider, and the amount of the monthly copayment which the parent must pay to the provider. Certification plans are subject to change based on circumstances affecting eligibility or the provision of child care assistance.

Certified Enrollment is intended to assist families to pay child care facilities requiring payment when a full time child is temporarily absent. Certified Enrollment days can only be used for times of temporary absence, including illness, and are limited to 150 hours in a state fiscal year (July 1st through June 30th). A limit of 10 consecutive days of Certified Enrollment can be billed at one time.

Child Care means care for children provided by an adult other than a parent of the children or other person living with the children as a parent, on a regular basis for daily periods of less than 24 hours, whether that care is for daytime or nighttime hours. In addition to the previous defined language found at 52-2-703, MCA, the term also means care to a child up to the age of 13 years, except as indicated otherwise in these rules. The term does not include care by a relative, unless registration or licensure as a day care facility is required to receive payments as provided in 52-2-713, MCA.

Child Care Center means an out-of-home place in which day care is provided to 13 or more children on a regular basis.

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

Child Care Resource & Referral Agency (CCR&R) or resource and referral agency means the agency or organization with which the department contracts to administer the child care assistance program, including determination of eligibility for child care scholarship assistance, certification of legally unregistered providers to receive payments, and payments to providers.

Child Care Scholarship means the monthly benefit amount awarded to a qualifying parent for assistance in paying child care costs while they work, work and attend school, or participate in TANF Family Investment Activities/Employability Plan.

Child Care Under the Big Sky (CCUBS) is a child care program management computer system implemented in March 2002. The Oracle based computer system integrates licensing, subsidy, and contract management functions.

Child Protective Services (CPS) Child Care is available for children in care because of the danger of neglect or abuse. The need for protective services child care is determined by community social workers.

Child with Special Needs means a child who is age 18 or younger who requires additional assistance because of an emotional or physical disability and/or cognitive delay that is verified by medical records or other appropriate documentation such as written verification of the physical, emotional, or mental disability from the appropriate authority.

Combination Full/Part Time Child Care means care provided in

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

excess of 10 hours per day. The full-time child care rate is paid for the first 10 hours; additional hours beyond 10 hours/day are paid for at the hourly rate up to 16 hours/day. If the certification plan specifies service exceeding 16 hours of care during a calendar day, the state will pay twice the daily rate for each day in which care exceeds 16 hours.

Common Law Marriage - A common law marriage has all of the same rights & duties as a ceremonial marriage. Therefore, if the income and availability of a stepparent, married by ceremony is considered, then the same applies to a step parent married by common law. There is no “benchmark” at which a couple is deemed married by common law. However, if they present themselves husband and wife, then they are married by common law for all intents and purposes.

Copayment means the portion of child care expenses which the parent is responsible for paying to the child care provider in accordance with the sliding scale as established in Section 1-5.

D

Dependent Child means a child under the age of 18 who lives in the household of a natural or adopted parent, foster care parent, or an adult serving in loco parentis.

E

Education Program refers to a program that is accredited by the State of Montana. Educational programs include, but are not limited to, vocational-technical schools, business colleges, junior colleges, universities, and/or special classes, which may be classified as "employment related training. "

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

F

Fair Hearing - A proceeding in which a determination of legal rights, duties, or privileges of a party is required by law. Parties affected by an adverse action must send a written request to the Department for a fair hearing in a timely manner. See Fair Hearing Process, as outlined in Section 1-11.

Family Child Care Home means a private residence in which day care is provided to three to six children on a regular basis. In addition to the previous defined language found at 52-2-703, MCA, the term also means: a day care facility providing care to no more than three children under two years of age unless care is provided for infants only.

- For facilities providing care only for infants, family day care home means a place in which child care is provided for up to four infants. No other children shall be in attendance.

Fill-the-Gap allows WoRC Case Managers and CCR&R Eligibility Specialists to provide a child care scholarship to a TANF family who needs child care because circumstances have changed and the child care disregard has not been prospected. See Continuity of Care, as outlined in Section 6-6.

G

Full-time Child Care means six to ten hours per day and thirty or more hours per week on a regular basis.

Good Cause Not To Cooperate with Child Support Enforcement means a parent may be exempted from the requirement due to endangerment issues. See Non-TANF Household Requirements, as outlined in Section 2-2.

Good Cause to Request a Grace Period means a parent must demonstrate that he/she has sound reasons for temporarily not complying with the minimum hourly work requirement. By

Montana Department of
Public Health & Human Services

CHILD CARE

Section:

Overview – Best Beginnings Child Care Scholarships

Subject:

Definitions

demonstrating good cause, families may request a grace period temporarily extending the child care scholarship eligibility period while they look for new employment. See Continuity of Care, as outlined in Section 6-6.

Grace Period - Families who lose employment, therefore fail to meet the minimum hourly work requirement, may apply to receive child care for 30 days, if they are looking for work. See Continuity of Care, as outlined in Section 6-6.

Group Child Care Home means a private residence or other structure in which day care is provided to seven to twelve children on a regular basis. In addition to the previous defined language found at 52-2-703, MCA, the term also means a day care facility providing care to seven to twelve children with no more than six children under two years of age, unless care is provided for infants only.

- For facilities providing care only for infants, group day care home means a place in which child care is provided for up to eight infants. No other children shall be in attendance.

H

Household means a family unit living together, related by marriage or parentage. Unrelated individuals may choose to be considered part of the household for child care eligibility purposes. See Child Eligibility and Parent Eligibility, as outlined in Section 2-2.

I

Improper Payment - An improper payment is a payment requested or made to a parent or provider in error.



Montana Department of
Public Health & Human Services

CHILD CARE

Section:

Overview – Best Beginnings Child Care Scholarships

Subject:

Definitions

In-Compliance with Child Support – The parent has an open case and maintains an open case while receiving a Best Beginnings Child Care Scholarship with the Montana Child Support Enforcement Division (CSED) or has complied with all requests by CSED to open a case, the parent is receiving child support through a court order, and this can be verified by documentation of receipt of court ordered child support payments, or the parent must have appropriate reasons and documentation to apply for good cause not to pursue child support as outlined in the Child Care Policy Manual Section 2-2.

Infant means a child age 0 through 23 months old. For the purpose of child care scholarship rates, the child moves from the ‘infant rate’ to the ‘child (2+) rate’ on their second birthday.

Intact Family means a household with two parents who may not be living together for a specific reason, but the family considers themselves one unit. Income and availability to care for the children are to be considered for both of the parents in determining eligibility.

Invoice is a list of daily attendance providers use to bill for child care scholarship services.

In Loco Parentis means a person who is exercising care and control of the children in place of the parent.

In-Home Relative Caregiver means a person must be related to the child and the relationship to the child must be verified.

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

J

Job Training and Educational Program is a program designed to assist eligible families to become self-sufficient by providing needed employment-related activities and supportive services. Job training programs include, but are not limited to, WoRC and special classes which may be classified as "employment related training."

L

Legally Unregistered Provider (LUP) means a person providing child care to two separate children of separate families or all of the children in one family and approved by the State for payment purposes. LUPs are not required to be registered or licensed as a child care facility and are not preschool or drop-in facilities, including providers whose child care services are provided in the home of the parents, for which a payment number (PV) has been established.

LUI means a legally unregistered provider caring for children in the parent's home including At-Home Relative Care.

M

Medical Emergency means an unexpected medical condition of an immediate household member which is expected to last less than three months, as verified by a medical doctor. See Continuity of Care, as outlined in Section 6-6.

O

Over Claim means a provider has made a willful action to charge for child care services that were not approved on the Certification Plan or for child care that was not provided.

Over Payment means the provider received payment in excess of what was owed to them. Over payments may result from:

- ☐ willful over claim;
- ☐ provider error;
- ☐ CCR&R error;

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

- ☐ child care that was not approved; or
- ☐ child care that was not provided by the caregiver.

P

Parent means a parent by blood, marriage, or adoption and a legal guardian, or other person acting in loco parentis.

Parents Living Apart means the couple considers themselves intact. Income and resources and household obligations are shared, although the individual parents may reside in separate locations. In contrast, see ‘Absent Parent’, above.

Part-time Child Care means less than six hours per day, billed at an hourly rate or less than 30 hours per week.

Prospective Budgeting means calculating eligibility and the co-payment amount by using the best estimate of the income and circumstances that are expected to exist in the future. It is ECSB policy to determine eligibility prospectively. Changes should be applied to the future benefit month(s), not the current month. See Prospective Budgeting, as outlined in Section 2-5.

Provider means a licensed or registered child care facility chosen by the parent(s) to care for their child(ren). For the Best Beginnings Child Care Scholarship program this would include LUP/LUIs.

Q

Qualifying Specified Relative is a TANF term, which means any blood relative including those of half-blood, including first cousin, nephews, or nieces, and persons of preceding generations as indicated by prefixes of grand, great, or great-great; stepfather, stepmother, stepbrother, and stepsister; those who legally adopt

Montana Department of
Public Health & Human Services

CHILD CARE

Section:

Overview – Best Beginnings Child Care Scholarships

Subject:

Definitions

the child or his/her parent as well as the natural and other legally adopted children of such persons; spouses of anyone named in the above groups even after the marriage is terminated by death or divorce; and person(s) acting in loco parentis.

R

Reasonable Distance means:

- a. If the family is without either their own (or arranged) transportation and there is no public transportation, then their home or work site must be no more than 1 mile from the child care provider.
- b. If the family has their own (or arranged) transportation, their home or work site is within one-hour travel distance, one-way, from the child care provider.

Request for fair hearing is any clearly written statement to DPHHS by the person denied a benefit stating that they want to present their claim to a higher authority. The request must be made within 10 days of receipt of the notice of the Department's adverse action.

Regular Basis means providing day care to children of separate families for any daily periods of less than 24 hours and within three or more consecutive weeks. In addition to the previous defined language found at 52-2-703, MCA, the term also means the child must be in attendance four or more days a week for six hours a day or more.

Required Household Members - (for Non-TANF)

- ☐ Natural, adoptive parent or stepparent of an intact family, regardless of living arrangements
- ☐ Parent by common law marriage
- ☐ Parent joined by a common child
- ☐ Minor sibling, age 17 and under, including stepbrother,

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

stepsister, half brother and half sister

- ❑ Child receiving Best Beginnings Child Care Scholarship
- ❑ Child receiving TANF Cash benefits, or other subsidy, as a member of the household

Refer to section 2-2.

Residing with - A child must live in the same household as the parent, other specified relative, or persons acting in loco parentis during the period for which the child care scholarship is requested, as outlined in Section 2-1 of this manual.

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

S

Scholarship: see Child Care Scholarship.

Scholarship Reimbursement Rates are child care scholarship rates as listed in Section 1-4 of the Child Care Policy Manual, available from the DPHHS Early Childhood Services Bureau.

Special Needs – See Child with Special Needs.

State Rate means the rate established for payment to out-of-state facilities based on the 75th percentile of the Market Rate Survey for the entire state. See Section 1-4.

Suspending a Scholarship means keeping a child care case open temporarily even though a child care scholarship is not needed. A scholarship may be suspended for up to 30 days. If the scholarship is not needed for more than 30 days, the child care scholarship must be closed.

T

Teen Parent means a parent through their 20th birthday who is attending high school. The Non-TANF minimum hourly work requirement is waived for teen parents attending high school. The month following the 20th birthday or the month they leave high school the minimum hourly work requirement applies to their eligibility for a Non-TANF Best Beginnings Child care Scholarship.

Training means instruction that is done to improve the skills or learning of an individual. Examples of training include on-the-job (OJT) training, truck driving, or computer skills training.

Tribal TANF families participate in a tribally run TANF program on their Indian reservation. These families are dually eligible for Tribal Block Grant child care and State CCDF Best Beginnings

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Definitions

Child Care Scholarship. If the Tribal TANF program exhausts child care funding or if Tribal Block Grant families find they are covered for additional activities under State CCDF child care rules, families may apply for a Best Beginnings Child Care Scholarship.

U

Unsuitable Informal Care means care that does not meet applicable state licensing/registration standards, even though it may be the choice of the parents.

W

Willful Action includes, but is not limited to, the making of false or misleading statements, misrepresentations, concealment, or withholding facts and/or information that results in an over claim of scholarship benefits.

Work - An individual is working when s/he performs any paid type of legal labor on either a full or part time basis and has documents to show income received. Self-employment will be determined, in part, by verifying tax returns submitted to the IRS. Evidence of workers' compensation or a waiver from workers compensation is also further proof of employment.

Work-Study – An employment program designed to assist students to earn while attending a post-secondary education program. For the purpose of child care eligibility, work-study earnings are counted as income and work-study hours count toward meeting a minimum hourly work requirement.

